

FINAL REGULATIONS

CHAPTER 20

REGULATIONS GOVERNING THE PRACTICE OF PHYSICAL THERAPY

Part I

General Provisions

18VAC112-20-10. Definitions.

In addition to the words and terms defined in § 54.1-3473 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

“Active practice” means a minimum of 160 hours of professional practice as a physical therapist or physical therapist assistant within the 24-month period immediately preceding renewal. Active practice may include supervisory, administrative, educational or consultative activities or responsibilities for the delivery of such services.

"Approved program" means an educational program accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association.

~~"Board" means the Virginia Board of Physical Therapy.~~

"CLEP" means the College Level Examination Program.

"Contact hour" means 60 minutes of time spent in continuing learning activity exclusive of breaks, meals or vendor exhibits.

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"Direct supervision" means a physical therapist or a physical therapist assistant is physically present and immediately available and is fully responsible for the physical therapy tasks or activities being performed by the nonlicensed physical therapy personnel.

"Evaluation" means the ~~carrying out by a physical therapist of the sequential process of assessing a patient, planning the patient's physical therapy treatment program, and recording appropriate documentation~~ examination, assessment or screening of a patient in order to plan and implement a treatment intervention, provide preventive care, reduce risks of injury and impairment, or provide for consultation.

"Face-to-face" means learning activities or courses obtained in a group setting or through interactive, real-time technology.

"FCCPT" means the Foreign Credentialing Commission on Physical Therapy.

"General supervision" means a physical therapist shall be available for consultation.

"National examination means the examinations developed and administered by the Federation of State Boards of Physical Therapy and approved by the board for licensure as a physical therapist or physical therapist assistant.

"~~Nonlicensed Support~~ personnel" means ~~any individual not licensed or certified by a health regulatory board within the Department of Health Professions-~~ a person who is performing ~~patient care functions at~~ designated routine tasks related to physical therapy under the direction and supervision of a physical therapist or physical therapist assistant within the scope of this chapter.

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~~"Physical therapist" means a person qualified by education and training to administer a physical therapy program.~~

~~"Physical therapist assistant" means a person qualified by education and training to perform physical therapy functions under the supervision of and as directed by a physical therapist.~~

"TOEFL" means the Test of English as a Foreign Language.

"Trainee" means a person undergoing a traineeship.

1. "Foreign educated trainee" means a physical therapist or physical therapist assistant who ~~graduated from a school not approved by an accrediting agency recognized by the board~~ was educated outside the United States and did not graduate from an approved program and who is seeking licensure to practice in Virginia.

2. "Inactive practice trainee" means a physical therapist or physical therapist assistant who has previously been licensed and has not practiced for at least 320 hours within the past four years and who is seeking licensure or relicensure in Virginia.

3. "Unlicensed graduate trainee" means a graduate of an approved physical therapist or physical therapist assistant program who has not taken the ~~state licensure~~ national examination or who has taken the examination but not yet received a license from the board.

"Traineeship" means a period of ~~full-time activity~~ active clinical practice during which an unlicensed physical therapist or physical therapist assistant works under the direct supervision of a physical therapist approved by the board.

"TSE" means the Test of Spoken English.

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"Type 1" means face-to-face continuing learning activities offered by an approved organization as specified in 18VAC112-20-131.

"Type 2" means continuing learning activities which may or may not be offered by an approved organization but shall be activities considered by the learner to be beneficial to practice or to continuing learning. ~~In Type 2 activities, licensees document their own participation on the Continued Competency Activity and Assessment Form and are considered self-learning activities.~~

18VAC112-20-20. Public participation. (Repealed)

~~Board regulations, 18VAC112-10-10 et seq., provide for involvement of the public in the development of all regulations of the Virginia Board of Physical Therapy.~~

Part II

Licensure Requirements

18VAC112-20-40. Education requirements: graduates of approved programs.

A. An applicant for licensure who is a graduate of an approved program shall submit documented evidence of his graduation from such a program with the required application and fee ~~documented evidence of his graduation from such a program.~~

B. If an applicant is a graduate of an approved program located outside of the United States or Canada, he shall provide proof of proficiency in the English language by passing ~~with a grade of not less than 560 on the~~ TOEFL and TSE by a score determined by the board or an equivalent examination approved by the board. TOEFL and TSE may be waived upon evidence of English proficiency.

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18VAC112-20-50. Education requirements: graduates of schools not approved by an accrediting agency ~~recognized~~ approved by the board.

A. An applicant for initial licensure as a physical therapist who is a graduate of a school not approved by an accrediting agency ~~recognized~~ approved by the board shall submit the required application and fee and provide documentation of the physical therapist's certification by a report by from the FCCPT.

B. An applicant for licensure as a physical therapist assistant who is a graduate of a school not approved by the board shall submit with the required application and fee the following:

1. Proof of proficiency in the English language by passing ~~with a grade of not less than 560 on the~~ TOEFL and TSE by a score determined by the board or an equivalent examination approved by the board. TOEFL and TSE may be waived upon evidence of English proficiency.

2. A ~~photostatic~~ copy of the original certificate or diploma which has been certified as a true copy of the original by a notary public, verifying his graduation from a physical therapy curriculum ~~which has been certified as a true copy of the original by a notary public~~.

If the certificate or diploma is not in the English language, submit either:

a. An English translation of such certificate or diploma by a qualified translator other than the applicant; or

b. An official certification in English from the school attesting to the applicant's attendance and graduation date.

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3. Verification of the equivalency of the applicant's education to the educational requirements of an approved program for physical therapist assistants from a scholastic credentials service approved by the board ~~of at least 65 semester hours to include:~~

~~a. General education requirements. A minimum of 20 semester hours is required with credits in each of the following: humanities, social sciences, natural sciences, physical sciences, and electives.~~

~~b. Professional educational requirements. A minimum of 45 semester hours is required with credits in each of the following: basic health sciences, clinical sciences, and clinical education.~~

~~e. CLEP semester hours or credits shall be accepted for general education hours only.~~

C. An applicant for initial licensure as a physical therapist or a physical therapist assistant who is not a graduate of an approved program shall also submit verification of having successfully completed a full-time 1,000-hour traineeship as a "foreign educated trainee" under the direct supervision of a licensed physical therapist. The traineeship shall be in a facility that serves as an education facility for students enrolled in an accredited program educating physical therapists in Virginia and is approved by the board.

1. It shall be the responsibility of the foreign educated trainee to make the necessary arrangements for his training with the director of physical therapy or the director's designee at the facility selected by the trainee.

2. The physical therapist supervising the foreign educated trainee shall submit a ~~progress report to the board at the end of the 1,000 hours. This report shall be submitted on forms supplied~~ completed physical therapy or physical therapist assistant clinical performance instrument approved by the board.

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3. If the traineeship is not successfully completed ~~at the end of 1,000 hours as determined by the supervising physical therapist~~, the president of the board or his designee shall determine if a new traineeship shall commence. ~~If the president of the board determines~~ it is determined by the board that a new traineeship shall not commence, then the application for licensure shall be denied.

4. The second traineeship may be served under a different supervising physical therapist and may be served in a different organization than the initial traineeship. If the second traineeship is not successfully completed, as determined by the supervising physical therapist, then the application for licensure shall be denied.

5. The traineeship requirements of this part may be waived if the applicant for a license can verify, in writing, the successful completion of one year of clinical physical therapy practice as a licensed physical therapist or physical therapist assistant in the United States, its territories, the District of Columbia, or Canada, equivalent to the requirements of this chapter.

18VAC112-20-60. ~~Application~~ Requirements for licensure by examination.

A. Every applicant for initial ~~board~~ licensure by examination shall submit:

1. Documentation of having met the educational requirements specified in 18VAC112-20-40 or 18VAC112-20-50;

2. The required application, fees and credentials to the board; and

3. Documentation of passage of the national examination [~~as prescribed by the board~~ by a minimum scale score of 600 or as established by the board as prescribed by the board].

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B. If an applicant fails the national examination three times, he shall apply for approval to sit for any subsequent examination by submission of evidence satisfactory to the board of having successfully completed additional clinical training or course work in the deficiency areas of the examination.

18VAC112-20-65. Requirements for ~~the examination~~ licensure by endorsement.

~~A. The minimum passing score shall be a scale score of 600 or as established by the board.~~

~~B. An applicant who fails the examination after six attempts shall be denied licensure.~~

~~C. A person not taking the licensure examination within four years after graduation shall successfully complete a full-time 480-hour traineeship.~~

A. A physical therapist or physical therapist assistant who holds a current, unrestricted license in the United States, its territories, the District of Columbia, or Canada, may be licensed in Virginia by endorsement.

B. An applicant for licensure by endorsement shall submit:

1. Documentation of having met the educational requirements prescribed in 18VAC112-20-40 or 18VAC112-20-50;

2. The required application, fees, and credentials to the board; and

3. Documentation of passage of an examination equivalent to the Virginia examination at the time of initial licensure or documentation of passage of an examination required by another state at the

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time of initial licensure in that state and active practice with a current, unrestricted license for at least seven years prior to applying for licensure in Virginia.

C. A physical therapist or physical therapist assistant seeking licensure by endorsement who has not actively practiced physical therapy for at least [320 160] hours within the [four two] years immediately preceding his application for licensure shall first successfully complete a 480-hour traineeship as specified by subsection B of 18VAC112-20-140.

18VAC112-20-70. Traineeship for unlicensed graduate scheduled to sit for the ~~board's~~ licensure national examination.

A. Upon approval of the president of the board or his designee, an unlicensed graduate trainee in Virginia may be employed under the direct supervision of a licensed physical therapist until the results of the licensure national examination are received.

B. The traineeship shall terminate two working days following receipt by the candidate of the licensure examination results.

C. The unlicensed graduate may reapply for a new traineeship while awaiting to take the next examination.

18VAC112-20-80. ~~Endorsement requirements.~~ (Repealed)

~~A. A physical therapist or physical therapist assistant who has been licensed in the United States, its territories, the District of Columbia, or Canada, by examination equivalent to the Virginia examination at the time of licensure and who has met all other requirements of the board may, upon recommendation of the board, be licensed in Virginia by endorsement.~~

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~~B. An applicant for licensure by endorsement shall submit:~~

~~1. Documentation of having met the educational requirements prescribed in 18VAC112-20-40 or 18VAC112-20-50;~~

~~2. The required application, fees, and credentials to the board; and~~

~~3. Documentation of passage of the national examination as prescribed by the board.~~

~~C. A physical therapist or physical therapist assistant seeking licensure by endorsement who has not actively practiced physical therapy for at least 320 hours within the four years immediately preceding his application for licensure shall first successfully complete a 480-hour traineeship as specified by subsection B of 18VAC112-20-140.~~

Part III.

Practice Requirements.

18VAC112-20-90. Individual General responsibilities to patients.

~~A. The physical therapist's responsibilities are to evaluate a patient, plan the treatment program, administer and document treatment within the limit of his professional knowledge, judgment and skills and communicate with the referring doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery to the extent required by §54.1-3482 of the Code of Virginia therapist shall be responsible for managing all aspects of the physical therapy care of each patient and shall provide:~~

~~1. The initial evaluation [and any periodic reevaluation] for each patient and its documentation in the patient record; and~~

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2. ~~[An evaluation prior to discharge of the~~ Periodic evaluations prior to patient ~~[discharge],~~
including documentation of the patient's response to therapeutic intervention [at the time of
discharge].

B. The physical therapist shall communicate the overall plan of care to the patient [or his legally
authorized representative] and shall also communicate with a referring doctor of medicine,
osteopathy, chiropractic, podiatry, or dental surgery, nurse practitioner or physician assistant to the
extent required by §54.1-3482 of the Code of Virginia.

C. A physical therapist assistant may assist the physical therapist in performing selected
components of physical therapy intervention to include treatment, measurement and data collection,
but not to include the performance of an evaluation as defined in 18 VAC 112-20-10.

D. A physical therapist assistant's visits to a patient ~~[shall may]~~ be made under general supervision.

18VAC112-20-100. Supervisory responsibilities.

A. A physical therapist shall be fully responsible for any action of persons performing physical
therapy functions under the physical therapist's supervision or direction.

~~B. Supervision of nonlicensed personnel means that a licensed physical therapist or licensed~~
~~physical therapist assistant must be within a facility to give direct supervision and instruction when~~
~~procedures or activities are performed. Such nonlicensed personnel shall not perform those patient~~
~~care functions that require professional judgment or discretion~~ Support personnel shall only perform
routine assigned tasks under the direct supervision of a licensed physical therapist or a licensed
physical therapist assistant, who shall only assign those tasks or activities that are nondiscretionary
and do not require the exercise of professional judgment.

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~~C. For patients assigned to a physical therapist assistant, the physical therapist shall make on-site visits to such patients at the frequency prescribed in 18VAC112-20-120.~~

~~D. When providing direct supervision to trainees, a physical therapist shall not supervise more than three individual trainees at any one time.~~ A physical therapist shall provide direct supervision to no more than three individual trainees at any one time.

D. A physical therapist shall provide direct supervision to a student in an approved program who is satisfying clinical educational requirements in physical therapy. A physical therapist or a physical therapist assistant shall provide direct supervision to a student in an approved program for physical therapist assistants.

18VAC112-20-110. General requirements. (Repealed).

~~A physical therapist assistant is permitted to perform all physical therapy functions within his capabilities and training as directed by a physical therapist. The scope of such functions excludes initial evaluation of the patient, initiation of new treatments, and alteration of the plan of care.~~

18VAC112-20-120. Individual Responsibilities to patients ~~and to physical therapists.~~

A. The initial patient visit shall be made by the physical therapist for evaluation of the patient and establishment of a plan of care.

B. The physical therapist assistant's first visit with the patient shall only be made after verbal or written communication with the physical therapist regarding patient status and plan of care.

Documentation of ~~the~~ such communication ~~and supervised visits~~ shall be made in the patient's record.

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C. ~~The physical therapist assistant's visits to the patient shall be made under general supervision~~

Documentation of physical therapy interventions shall be recorded on a patient's record by the physical therapist or physical therapist assistant providing the care.

D. The physical therapist shall reevaluate the patient as needed, but not less than according to the following schedules:

1. For inpatients in hospitals as defined in §32.1-123 of the Code of Virginia, it shall be not less than once ~~a week~~ every seven consecutive days.

2. For patients in other settings, it shall be not less than one of 12 visits made to the patient during a 30-day period, or once every 30 days, whichever occurs first.

Failure to abide by this subsection due to the absence of the physical therapist in case of illness, vacation, or professional meeting, for a period not to exceed five consecutive days, will not constitute a violation of these provisions.

E. The physical therapist shall be responsible for ongoing involvement in the care of the patient to include regular communication with a physical therapist assistant regarding the patient's plan of treatment.

Part IV.

Renewal or Relicensure Requirements.

18VAC112-20-130. Biennial renewal of license.

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A. A physical therapist and physical therapist assistant who intends to continue practice shall renew his license biennially during his birth month in each even-numbered year and pay to the board the renewal fee prescribed in 18VAC112-20-150.

B. A licensee whose licensure has not been renewed by the first day of the month following the month in which renewal is required shall pay a late fee as prescribed in 18VAC112-20-150.

C. In order to renew an active license, a licensee shall be required to:

1. Complete a minimum of ~~320~~ 160 hours of active practice in the preceding ~~four~~ two years; and
2. Comply with continuing competency requirements set forth in 18VAC112-20-131.

Certification

I certify that this regulation is full, true, and correctly dated.

Elizabeth Young
Executive Director
Virginia Board of Physical Therapy

Date:_____